

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 7049 of 2023

Petitioner :- Haneef Alias Suttey

Respondent :- State Of U.P. Thru. Secy. Home Lko. And Others

Counsel for Petitioner :- Pawan Kumar Pandey, Rajesh Kumar Agnihotri

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra, J.

Hon'ble Narendra Kumar Johari, J.

1. Heard learned counsel for the petitioner, learned AGA and perused the pleadings on record.

2. This petition has been filed praying the following reliefs:-

(a) Issue a writ, order or direction in the nature of certiorari thereby quashing order dated 1.8.2023 passed by the opposite party no. 2 in case no. 1712 of 2023 under Section 14 (1) of the U.P. Gangsters and Anti Social Activities (Prevention) Act, 1986, Police Station- Tadiyawan, District- Hardoi as contained in Annexure-1 to this writ petition.

(b) Issue a writ, order or direction in the nature of mandamus commanding and directing the opposite party not to harass, the petitioner in any manner.

3. It is evident that the order has been passed for Provisional Attachment of property of the petitioner under under Section 14 (1) of the U.P. Gangsters and Anti Social Activities (Prevention) Act, 1986. The petitioner has statutory remedy of filing a representation before the District Magistrate concerned under Section 15(1) of the Act of 1986. In case, during pendency of writ petition, the order dated 01.08.2023 has been finalized and the matter has been sent to the court concerned under Section 16(1) by the District Magistrate, then also the petitioner has statutory remedy under the Act.

4. In view of the above, the writ petition is not maintainable and it is **dismissed** as such.

Order Date :- 3.11.2023

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